

REMARKS

Upon entry of the present amendment, claims 1, 11-13 and 15-17 will have been amended. Claim 10 will have been canceled without prejudice or disclaimer, while claims 21-24 will have been submitted for consideration by the Examiner.

In addition, Applicants have submitted a further amended title for the present application.

In view of the hereincontained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of each of the outstanding objections and rejections set forth in the above-mentioned Official Action together with an indication of the allowability of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

In the outstanding Official Action, the Examiner asserted that the new title of the invention is not descriptive. The Examiner again required a new title that is clearly indicative of the invention to which the claims are directed.

By the present response, Applicants have yet again amended the title of the application and submit that the new title is even more clearly indicative of the invention to which the claims are directed. In particular, the new title now includes the magnetic flux adjuster which is recited in each of the independent claims of the present application, in different terms.

In this regard, should the Examiner still not find the presently submitted title of the invention to be adequately descriptive or indicative of the claimed invention, the Examiner is respectfully requested to suggest a title that is considered adequately indicative of the claimed invention.

In the outstanding Official Action, the Examiner rejected claims 1-16 because of a noted informality. In particular, the Examiner asserted that the term "ring shaped" recited in claims 1

and 10 is not discussed in the detailed description. The Examiner required correction of this terminology.

Initially, Applicants respectfully traverses the Examiner's assertion that the term "ring-shaped" is not discussed in the detailed description. In this regard, Applicants respectfully direct the Examiner's attention to, *inter alia*, page 47, lines 10-15, which describes an implementation of the fixing belt 112 having a diameter so as to enclose the perimeter of the retaining roller 113. The advantages of this implementation are set forth in the paragraphs that follow. At least this portion of the original specification discusses in detail the ring-shape terminology utilized in claims 1 and 10 and, thus, provides adequate and sufficient support for the use of this term in the claims.

Nevertheless, and merely in order to address the Examiner's expressed concerns, by the present response, Applicants have deleted the term "ring-shaped". Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to the claim language.

In the outstanding Official Action, the Examiner rejected claims 1, 2, 5-10, 12 and 17-19 under 35 U.S.C. § 102(e) as being anticipated by SEKIGUCHI et al. (U.S. Patent Application Publication No. 2003/0086736). Applicants respectfully traverse the above-noted rejection and submit that it is inappropriate at least for the reasons to be set forth hereinbelow.

The Examiner indicated claims 3, 4, 11, 13-16 and 20 as being objected to for being dependent upon a rejected base claim. The Examiner indicated, however, that these claims would be allowable if rewritten into independent form including all the limitations of the base claim and any intervening claims.

By the present response, and without in any manner acquiescing in the Examiner's rejection applied against independent claim 10, Applicants have rewritten claims 11, 12 and 13

into independent form. Accordingly, these claims are submitted to be allowable at least in accordance with the Examiner's indication.

In this regard, Applicants note that the Examiner did not explicitly include claim 12 in those claims that contain allowable subject matter. Further, the Examiner included claim 12 in those claims rejected as being anticipated by SEKIGUCHI et al. However, Applicants have rewritten claim 12 into independent form and submit that the feature recited in previously dependent pending claim 12 is not taught, disclosed nor rendered obvious by the SEKIGUCHI et al. reference.

Further, the Examiner has not in any manner addressed the limitation of previously pending dependent claim 12 at all.

In this regard, Applicants note that claim 12 recites the calorific value distribution adjuster having an electrical conductor opposite said magnetic flux generator. It is respectfully noted that this feature is not taught, disclosed nor rendered obvious by the SEKIGUCHI et al. disclosure. In this regard, and in discussing the calorific value distribution adjustment section, the Examiner makes reference to paragraphs [0060] through [0082] of SEKIGUCHI et al. However, none of the above-noted paragraphs make any mention of, nor otherwise disclose, teach nor render obvious a calorific value distribution adjuster that comprises an electrical conductor opposite the magnetic flux generator as disclosed in the present application, *inter alia*, at page 50, lines 7-17. Additional features of a calorific value distribution adjuster having an electrical conductor opposite the magnetic flux generator is contained throughout the various embodiments of the present application.

Accordingly, Applicants respectfully submit that claims 11-13 are clearly in condition for allowance at least based on the Examiner's indication. Additionally, all those claims dependent

thereon are also submitted to be patentable over the references of record herein, at least based upon their dependence from an acknowledged to be allowable base claim.

The Examiner rejected independent claims 1 and 17 as being anticipated by SEKIGUCHI et al. However, it is respectfully submitted that the Examiner's application of the SEKIGUCHI et al. against the combination of features recited in each of Applicants' independent claims 1 and 17 is inappropriate because the disclosure of SEKIGUCHI et al. does not teach or even render obvious the combination of features recited in each of Applicants' claims 1 and 17. Accordingly, Applicants respectfully traverses the Examiner's rejection and submit that claims 1 and 17 are clearly patentable over the Examiner's applied prior art reference. An action to such effect is respectfully requested, in due course.

Applicants' invention is directed to, *inter alia*, an image heating apparatus. In particular, and as defined by claim 1 (as a nonlimiting example of Applicants' invention), the image heating apparatus includes a rotatable heat-producing medium that produces heat by magnetic flux. A magnetic flux generator is position proximate to a first peripheral surface of the heat-producing medium and generates magnetic flux that acts upon the heat-producing medium. A magnetic flux adjuster is rotatably positioned proximate to a second peripheral surface of the heat-producing medium and has a paper passage area magnetic flux adjustment unit that adjusts magnetic flux acting upon a paper passage area of the heat-producing medium, and a paper non-passage area magnetic flux adjustment unit with a different rotational phase from the paper passage area magnetic flux adjustment unit that adjusts magnetic flux acting upon a paper non-passage area of the heat-producing medium. A synchronization controller controls a timing of magnetic flux generation by the magnetic flux generator in synchronization with rotational phases of the magnetic flux adjustment units of the magnetic flux adjuster. It is respectfully

submitted that the combination of features recited in the above-noted exemplary claim 1 is not taught, disclosed nor rendered obvious by SEKIGUCHI et al. relied upon by the Examiner.

SEKIGUCHI et al. relates to a heating device and an image forming apparatus. In particular, SEKIGUCHI et al. discloses a heating apparatus including an excitation coil and a magnetic flux generating means having a magnetic member core. The magnetic member core includes a first magnetic core supported with a holder for the excitation coil and a rotatable second magnetic member core. An induction heat-generating element is provided for electromagnetic induction heat generation using the magnet flux generated by the magnetic flux generating means. A heating portion receives a recording medium and heats the recording medium by the heat generated by the induction heat generating element. Rotation means are provided for rotating the second magnetic core to a different angular position to change a heat generation distribution in a longitudinal direction of the induction heat generating element.

Thus, it is an integral and essential feature of the SEKIGUCHI et al. image forming apparatus and heating device that the second magnetic core is rotated to predetermined positions as shown in Figs. 4a and 4b. In particular, and as set forth in paragraph [0073], the position (a) is a first angular position of the rotatable core supporting member 4 and (b) is the second angular position of the rotatable core supporting member 4 which is diametrically opposite from the first angular position. Switching between the first and second angular positions of the rotatable core supporting member 4 is automatically effected by the control circuit depending on the image to be formed or is determined by the control circuit depending on the sheet size set by the designation of the user.

Thus, according to the teachings of SEKIGUCHI et al., the rotatable core supporting member and the rotatable core supported thereby are alternately moved between the disclosed

positions in accordance with the appropriate factors as set forth therein. However, the member is not continuously rotated.

In direct contrast to the above, and as noted above, Applicants' invention includes, *inter alia*, a magnetic flux adjuster that is continuously rotating (during use or operation). In other words, in contrast to the magnetic core of SEKIGUCHI et al. which moves reciprocatingly or oscillatingly between the two above-noted positions, Applicants' magnetic flux adjuster is configured for continuously rotating.

Accordingly, it is respectfully submitted that SEKIGUCHI et al. is an inappropriate basis for the rejection of any of the claims in the present application. An action to such effect is respectfully requested and is now believed to be appropriate and proper.

In this regard, the Examiner's attention is respectfully directed to, *inter alia*, page 43, lines 8-15, which clearly discloses the continuous rotation feature of Applicants' invention. In direct contrast, paragraphs [0081] and [0082] clearly disclose that the rotatable core supporting member of SEKIGUCHI et al. has a normal first angular position as shown in Figs. 2, 3 and 6 and also has a second angular position for small size paper as shown in Figs. 5 and 7. Accordingly, Applicants' claims 10 and 17 are clearly patentable over the SEKIGUCHI et al. reference relied upon by the Examiner.

Applicants' claims 2, 5-9 and 14 are noted to depend from claim 1 while claims 18-20 are noted to depend from claim 17. Accordingly, these claims are submitted to be patentable over the SEKIGUCHI et al. reference relied upon by the Examiner based upon their depending from a shown to be allowable claim as well as based upon their own additional recitations. Accordingly, Applicants respectfully request reconsideration of the outstanding rejection thereof

together with an indication of the allowability of all the claims pending in the present application.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended the title and have also amended several of the claims to clarify the recitations thereof and to ensure direct correspondence between the language of the specification and the claim terminology.

Applicants have traversed the Examiner's rejection of various claims under 35 U.S.C. § 102 and have pointed out the shortcomings and deficiencies of the reference with respect thereto. Applicants have discussed the disclosure of the reference and have compared the same to the recitations of the claims. Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully request and indication to such effect, in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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